

Town of Tyringham



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I have received many calls asking about marriage licenses as well as what the process/procedure is needed to be able to perform a wedding. I have copied from Mass.Gov the instructions on obtaining a marriage license as well as the Procedure to Perform Marriages in Massachusetts. In this packet I have also included:

- * The One-Day Marriage Designation instructions and application
- * Out of State Non-Clergy Petition to Solemnize Marriage
- * Marriage without Delay Application which also includes Marriage of Minors.

You can reach me at (413) 243-1749 ext. 103 or email me at townclerk@bcn.net to assist you with the marriage license process. If you need assistance with the procedure to be able to perform the marriage ceremony, please contact the Commissions Section at 617-727-2836.

I hope this has been of assistance to those that are in the process of getting married or wishing to perform a Marriage.

Getting Married in Massachusetts


You do not have to be a state resident to get married in Massachusetts, but you must obtain a valid marriage license issued by a Massachusetts city or town clerk. An out-of-state marriage license cannot be used.

Other than that, there are just a few restrictions to getting married in Massachusetts:

- You must be 18 years of age or older. If either party is under 18, a Marriage of Minors application form must be filed with the probate court or district court where the minor lives.
- You may not marry a close relative (as defined specifically in MGL).
- If either person was previously married, joined in a civil union, a registered domestic partnership, or other legally binding relationship recognized by another state, this relationship must be legally dissolved (meaning your divorce must be final) before applying for a Massachusetts marriage license.


Getting a Marriage License

Both partners in a marriage must go together, in person, to any city or town clerk to fill out a marriage license application (also known as a Notice of Intention of Marriage) no more than two months before the wedding ceremony. In addition to paying the application fee (\$20 here in Tyringham), each person must bring proof of their age (a certified birth certificate, passport or other document as defined by MGL Chapter 207, Section 33A) and their Social Security number.

Once an application has been accepted, there is a three-day waiting period before you receive your marriage license. The license is then only valid for 60 days from the date the application was filed. In certain circumstances, one can seek to have the waiting period waived by filing a request for a Marriage without Delay  with the probate court or district court in the city or town, or county where you originally applied for the license. If you are not married within the 60 days after your license was granted, you must apply for a new license.

Who Can Legally Marry Us?

One of the most important parts of planning your wedding is determining who will actually perform the ceremony. There are three primary groups of people that can legally solemnize a marriage in Massachusetts:

- A resident clergy member (and others as defined in MGL Chapter 207, Section 38), provided they are registered with the Secretary of the Commonwealth.
- A non-resident clergy member (and others as defined in MGL Chapter 207, Section 39) can apply to legally perform a marriage in Massachusetts by submitting a Petition to Solemnize Marriage  with the Secretary of the Commonwealth no more than six weeks before the ceremony.
- Want a friend or family member to perform the ceremony? If they're over 18 they can apply for a One Day Marriage Designation from the Governor's Office. The application must be in at least six weeks, but no more than three months, before the ceremony is to take place.

After the wedding ceremony is complete, whomever you chose to perform the ceremony must sign and return your marriage license to the city or town clerk where it was issued so it can be legally recorded. If you need a copy of your marriage certificate, you can get one from the Registry of Vital Records and Statistics

Procedure to Perform Marriages in Massachusetts

Section 38 of Chapter 207 of the Massachusetts General Laws states in relevant part that a marriage may be solemnized according to the usage of any church or religious organization which has filed information relating to persons recognized or licensed as aforesaid and in relation to usage of such organizations in such form and at such times as the Secretary of the Commonwealth may require. Pursuant to this statute, a representative of the church must file the following with the Commissions Section of the Public Records Division:

- A copy of his/her ordination papers. If ordination is not applicable, a license similar certificate issued by the religious organization will be accepted.
- A letter of good standing from the leader of the religious organization on church letterhead.
- Clergy must be a Massachusetts resident.

As of January 1, 2004, all churches and religious organizations must file ANNUALLY information relating to persons recognized or licensed by that entity and information relating to the "usages" of that organization.

Upon receipt of the above information, this office will consider the individual duly recorded to perform marriage ceremonies within the Commonwealth of Massachusetts.

Information must be mailed to the following address:

Secretary of the Commonwealth
Commissions Section
One Ashburton Place, Room 1719
Boston, Massachusetts 02108



Commonwealth of Massachusetts
One-Day Marriage Designation Instructions

The following instructions should help you complete the application for your one day marriage designation.

1. Reason for Designation: A personal explanation for why you have been selected to solemnize the wedding ceremony of Party A and Party B.

Example: "Party A is my former roommate, I recognize their relationship with Party B and I am honored to take part in their wedding ceremony."

2. Applicant Information: Full name, direct email, street address and telephone number of applicant who wishes to officiate the marriage.

3. Party A and Party B: Full legal names before wedding ceremony occurs. Full contact information. Names will appear on the certificate as written here.

4. City/Town of Wedding: Please state which of the 351 Cities or Towns in Massachusetts the wedding will take place.

5. Date of Proposed Marriage: Please state the exact calendar date the wedding ceremony is set to take place in said City or Town within the borders of the Commonwealth of Massachusetts.

Note: We cannot accept applications submitted more than 3 months in advance of the ceremony.

A complete application will have the following materials submitted to the Governor's Office:

- **Application Form**
- **Letter of Reference.** The letter must be written on behalf of the individual applying to officiate the wedding attesting to the applicant's high standard of character. Cannot be written or signed by the applicant, Party A or Party B. The letter must be signed by its author. *Note:* judges, appointed and elected officials do not require letters of recommendation.
- **\$25 Processing Fee.** The fee must be in the form of check or money order only made out to "The Commonwealth of Massachusetts". The Governor's Office will not accept cash, debit or credit cards.

Please mail all completed application materials to:
Office of Governor Charlie Baker
Attn: One-Day Marriage Designation
State House,
Rm 271M
Boston, MA 02133

Feel free to call us directly at (617) 725-4055 if we can assist you in any way.

Note: Applicant will receive an email from the Governor's Office notifying them of their acceptance. Applicant will also receive a hard-copy of the certificate of solemnization to perform the wedding ceremony approximately four weeks prior to the wedding date. Once the applicant receives the email from our office they can solemnize the ceremony. It is not necessary to have the certificate on hand.



The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth
Public Records Division - Commissions Section

TO ALL NON-RESIDENT, OUT-OF-STATE CLERGY
MEMBERS WISHING TO SOLEMNIZE A MARRIAGE:

Pursuant to the provisions of M.G.L. Chapter 207, Section 39 states in part that,

The state secretary may authorize, subject to such conditions as he may determine, the solemnization of any specified marriage anywhere in the Commonwealth by the following nonresident clergy members: a minister of the gospel, a commissioned cantor or duly ordained rabbi, authorized representative of a Spiritual Assembly of the Baha'is, the Imam of the Orthodox Islamic religion, a duly ordained priest or minister of the Buddhist Religion, a minister in fellowship with the Unitarian Universalist Association, a leader of an Ethical Cultural Union, a justice of the court or a justice of the peace, ... in a regular and special meeting ... of a Friends or Quaker monthly meeting

A nonresident clergy member may also solemnize a marriage according to the usage of any church or religious organization which shall have complied with the provisions of the second paragraph of section 38. (C. § 38 ... Churches and other religious organizations shall file in the office of the state secretary information relating to persons recognized or licensed as aforesaid, and relating to usages of such organizations, in such form and at such times as the secretary may require.) A certificate of such authorization shall be issued by the state secretary and shall be attached to the certificate issued under section twenty-eight and filed with the appropriate city or town clerk.

Please complete the application and return it to this office promptly. The application may be mailed or sent by facsimile transmission to (617) 727-5914. Upon receipt of a completed application, a Certificate of Solemnization will be mailed to the Non-Resident Clergy member shown on the application. The Clergy member is responsible for filing said Certificate with the appropriate town or city clerk pursuant to G.L. ch. 207.

PLEASE PRINT OR TYPE THE APPLICATION FORM, ILLEGIBLE FORMS MAY DELAY
THE APPLICATION PROCEDURE.

Very truly yours,
DIVISION OF PUBLIC RECORDS

A handwritten signature in cursive script, reading "William Francis Galvin".

WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth